

*(As of February 20, 2001)*

**Section 16-122. Transitional Provisions on the Staggering of Councilmembers' Terms --**

1. The staggering of the terms of councilmembers shall commence on January 2, 2003 and be implemented in accordance with this section.

2. On January 3, 2001, the city clerk shall certify the total votes counted for all mayoral candidates in the special election at which the mayor was elected for the regular term commencing January 2, 2001. The city clerk shall transmit the certificate to the council chair and maintain in the clerk's office a copy available for public inspection during normal business hours.

(a) If the total votes counted, as certified by the city clerk, is an odd number, the councilmembers for council districts I, III, V, VII, and IX shall be elected to four-year regular terms commencing on January 2, 2003. Councilmembers for other districts shall be elected to two-year regular terms commencing on the same date.

(b) If the total votes counted, as certified by the city clerk, is an even number, the councilmembers for council districts II, IV, VI, and VIII shall be elected to four-year regular terms commencing on January 2, 2003. Councilmembers for other districts shall be elected to two-year regular terms commencing on the same date.

For the purpose of this subsection, a "vote counted" for a mayoral candidate shall not include ballots which are blank, spoiled or otherwise invalid in connection with the mayoral contest. "Special election at which the mayor was elected for the regular term commencing January 2, 2001" means either the first or second special election, held in conjunction with the 2000 primary or general election, at which a candidate for mayor was elected for the term commencing January 2, 2001. The phrase does not mean both the first and second special elections if a second special election was held.

3. After the expiration of the two-year regular terms established by this section, the subsequent regular terms of the pertinent councilmembers shall be subject to Section 3-102.

4. Except as provided in the next paragraph, a person elected as councilmember to a two-year regular term in 2002 shall be eligible for election to two more consecutive four-year terms as councilmember.

A person elected as councilmember to a four-year regular term in 1998 and a two-year regular term in 2002 shall be eligible for election in 2004 to a four-year regular term as councilmember. Such a person, however, shall not be eligible for election in 2008 to a four-year regular term as councilmember.

A person elected as councilmember to two consecutive four-year regular terms in 1994 and 1998 shall not be eligible in 2002 for election as councilmember. *(1998 General Election Charter Amendment Question No. 8(V))*